

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
TIMOTHY D. NEWHART : CHAPTER 13
Debtors. :

THE BANK OF NEW YORK MELLON, :
f/k/a THE BANK OF NEW YORK, AS :
TRUSTEE FOR THE :
CERTIFICATEHOLDERS OF THE :
CWABS, INC. ASSET-BACKED :
CERTIFICATES SERIES 2006-13 :
Movant, :
:
vs. :
TIMOTHY D. NEWHART : CASE NO. 5-21-01644
Respondents. :

DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY UNDER SECTION 362

AND NOW COMES, Timothy D. Newhart, the Debtor, and files an Answer to The Bank of
New York's Motion for Relief From the Automatic Stay:

1. Timothy D. Newhart (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Movant alleges that Debtor has failed to make post-petition mortgage payments.
3. Debtors Counsel is in the process of contacting the Debtor to ascertain if said payments have been made and/or if Debtor is in possession of funds needed to cure the alleged default.
4. In the event there remains an arrears, the Debtor wishes to enter into a Stipulation to cure the arrears over a six (6) month period and/or include the arrears in an amended Chapter 13 Plan.

5. Movant is not entitled to relief from the automatic stay as the arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and/or a six (6) month Stipulation, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: November 24, 2021

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID# 59887
381 N. 9th Avenue
Scranton, PA 18504
(570) 347-7764

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 24, 2021, he caused a true and correct copy
of Debtor's Answer to The Bank of New York's Motion for Relief from the Automatic Stay to be served
Via First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Jack N. Zaharopoulos, Esq. at info@pamd13trustee.com

Rebecca Solarz, Esq. at RSolarz@kmlawgroup.com

Dated: November 24, 2021

/s/Tullio DeLuca
Tullio DeLuca, Esquire